

**CHAPTER 299**

**HB 1569-FN - FINAL VERSION**

24feb00.....3480h

5/11/00.....4455s

5/11/00.....4472s

31may00.....4711-CofC

2000 SESSION

00-2539

03/09

HOUSE BILL ***1569-FN***

AN ACT requiring the department of environmental services to develop a voluntary MTBE testing program of state water supplies and to study the amount of MTBE in gasoline in the state.

SPONSORS: Rep. Martin, Hills 34; Rep. Spang, Straf 8; Rep. French, Merr 3; Sen. Wheeler, Dist 21

COMMITTEE: Science, Technology and Energy

AMENDED ANALYSIS

This bill proposes voluntary testing of all state water supplies not otherwise required to be tested for MTBE concentrations. This bill also requires the commissioner of the department of environmental services to study the amount of reformulated gasoline delivered to areas of the state where the use of reformulated gasoline is not currently required.

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Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand*

AN ACT requiring the department of environmental services to develop a voluntary MTBE testing program of state water supplies and to study the amount of MTBE in gasoline in the state.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

299:1 Purpose. In order to minimize the contamination of our water resources and to protect the public from potentially harmful health effects, the following actions are proposed relevant to conventional and reformulated gasoline which contains the oxygenate methyl tertiary butyl ether (MTBE).

299:2 Voluntary Water Testing and Report.

I. The department of environmental services shall propose a voluntary testing of all water supplies in New Hampshire not already required to test for MTBE concentrations by any other department regulations.

II. The department shall contact by letter all public water systems in the state and describe how public water systems can best conduct these voluntary MTBE tests.

III. Such testing for surface water supplies shall be done as close to labor day as possible.

IV. The department shall compile the results of any MTBE test that a public water system voluntarily conducts and voluntarily submits to the department.

V. The commissioner of environmental services shall report findings and conclusions to the MTBE study committee established under 1999, 55. The report shall include the results of testing, a list of which public water systems conducted or did not conduct such tests, any information regarding private wells which the department may have, and any recommendations for future mandatory testing of public water supplies, including reimbursement to water systems operated by municipalities.

VI. The department shall, upon request, supply to any public water system that has conducted a voluntary test a certificate stating the results of the test and whether the water meets the MTBE standard.

299:3 Study of Reformulated Gasoline.

I. The commissioner of environmental services shall study the amount of reformulated gasoline delivered to areas in the state where reformulated gasoline is not currently required under New Hampshire's state implementation plan by analyzing levels of MTBE in a minimum of 100 gasoline samples, of all different grades of gasoline, taken from a representative selection of gasoline distribution facilities located outside Hillsborough, Merrimack, Rockingham, and Strafford counties.

II. Such testing shall either be provided by the Environmental Protection Agency or funded, upon receipt, by grant money designated to pay for the analyses.

III. The commissioner shall report findings of the study by October 1, 2000 to the speaker of the house of representatives; the president of the senate; the MTBE study committee established under 1999, 55; the house science, technology and energy committee; the senate environment committee; the governor; and the state library.

299:4 Repeal. Sections 1-3 of this act, relative to gasoline containing MTBE, are repealed.

299:5 Effective Date.

I. Section 4 of this act shall take effect July 1, 2003.

II. The remainder of this act shall take effect upon its passage.

(Approved: June 21, 2000)

(Effective Date: I. Section 4 shall take effect July 1, 2003.

II. Remainder shall take effect June 21, 2000)

LBAO

00-2539

Amended

3/7/00

#### **HB 1569 FISCAL NOTE**

AN ACT requiring the department of environmental services to propose a voluntary testing program of public water supplies for methyl tertiary butyl ether (MTBE), and to study the amount of MTBE in gasoline in the state.

#### **FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation, as amended by the House, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2000 through 2004.